CONCERNS BOTH BRITISH INDIA
AND INDIAN STATES.

Political (1895) Department.

ORDINARY MS.

G.O., No. 218

Dated 5th Apr. 1895.

INDEXED.

[Despatch Abstract.]

PERIYAR CAMPS

Recording Revenue Department Proceedings approving proposals of the Board of Revenue for the management of the Abkari Revenue in the -- and publishing in the Fort St.George Gazette a notification investing the local Sub-Magistrate with certain powers of a Collector in regard to Abkari matters.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

14TH MARCH 1895, No. 156, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Separate Revenue), dated 22nd February 1895, No. 93 :—

Read—the following letter from L. C. MILLER, Esq., Acting Collector of Madura, to the Secretary to the Commissioner of Salt, Abkári and Separate Revenue, dated 29th January 1895, Ref. on C. No. 340-Gl. :—

In reply to Board's Proceedings, Mis. No. 5604, dated 20th December 1894, I have the honour to report that at present there is one arrack shop at Periyár held by one Viraya Gounden of Gúdalúr in this district under the authority of a temporary license issued to him by the Superintendent of Works, Periyár, on the 11th October 1894. A fee of Rs. 100 per mensem is paid by the licensee in advance and the license is terminable on a month's notice on either side. Though the licensee has been permitted to sell toddy, he does not sell any; he states that he has to get his supplies from Panur in Travancore Territory (a long way from Periyár), and that the toddy becomes useless for consumption by the time it reaches Periyár.

2. The arrack is brought from Paravur attached to Minachel taluk, in the Travancore Territory, and is purchased from various sub-renters of the arrack monopoly in that place. It is distilled from cocoanut or palmyra toddy apparently by the farmers themselves, for the shopkeeper states that there is no central distillery or depôt in the place. The selling price in Periyár is reported to be one rupee per quart bottle or six rupees per gallon, which is somewhat less than the average selling price of arrack 30° under-proof in the Cumbum firka. The strength of the Periyár arrack, as tested by the Sub-Magistrate, was about 40° under-proof. The distance from Paravur to Periyár is not exactly known here, but the renter states that it takes him 20 to 25 days to make the journey there and back with his supply of liquor.

3. The Superintendent of Works is of opinion that one shop is sufficient for the sale of liquor, and in these circumstances I propose to sell by auction the right to sell arrack in one shop from 1st April next to 31st March 1896. The conditions of the license should be as nearly as possible those imposed on licensees of independent arrack shops in this district, but it will be necessary to alter them in some respects. The supply will have, I think, to come from Travancore as now. If the licensee is restricted to British Territory for his source of supply, it will be necessary to have some means to prevent smuggling from Travancore, and it is worth while doing this in the circumstances of the case. It will be necessary to permit arrack also to be brought from the Madura district to Periyár if the shopkeeper prefers it. The Periyár camp does not become part of the Madras Presidency by reason of the cession of jurisdiction, for there is no cession of territory, so that apparently the "import" and "transport" sections of the Abkári Act will not apply and any rule regulating the passage of arrack from Madura district to Periyár will have to be under the "export" provisions. Arrack, which has paid Excise duty in British India, may be permitted to be exported to Periyár. It is not necessary, I think, to permit import from Periyár.

4. If it be settled to allow sale of Travancore arrack, the question arises as to the strength at which it should be sold. As it is not excised at particular strengths,

perhaps, all that is necessary is to protect the consumer by prohibiting the sale of spirits below 60° under-proof. The liquor tested by the Sub-Magistrate is stronger than this, but there has not been a sufficient number of testings to show whether 40° under-proof is an average strength or not, and it would unduly delay this report if I were to keep it waiting till a series of experiments is made. The license conditions will then have to be altered as below :—

In condition 3 after "shop is situated" should be added "or from any farmer or sub-renter of the privilege of manufacture and sale of arrack duly authorized as such by the Government of the Travancore State."

In Rule 8 "after country spirits" add "or spirits manufactured in the Travancore State." This is necessary, because country spirits under the Abkári Act mean British Indian spirits only. In condition 18 after "60° under-proof" add "or Travancore-made spirits as aforesaid of a strength not less than 60° under-proof."

In condition 20 leave out the word "country" between "or" and "spirits."

N.B.—This might be done even in British Indian licenses. Condition 30 may perhaps stand, though it can hardly be wanted for use, as the cession applies to no territory which would not be in the vicinity of the licensed shop.

The conditions of sale do not require alterations.

5. If orders are received soon enough the shop can be sold with others by the Sub Collector, but if not, a special sale can be held at Uttamapalaiyam and this would perhaps be the best means of ensuring a fair competition.

6. The other notifications required seem to be—

(1) An order of Government permitting export as suggested in paragraph 3 above.

(2) An order investing the Sub-Magistrate with the powers of a Deputy Tahsildar.

7. The Abkári Inspector of Dindigul Circle will, I suppose, be given control over Periyár. If not, it may be necessary to appoint some one to exercise the power of an Inspector and this could only, I think, be an officer of the Public Works Department, as the Magistrate could not be both Abkári Inspector and Magistrate. I think the Dindigul Inspector will be able to do all that is likely to be required. As the place is out of the way of the usual beat of the abkári officers, the police station-house officer could be empowered under sections 32 and 33 of the Act. The Deputy Tahsildar would have lots of time to do the rest of the inspection of the shop.

8. I do not at present see that anything further will be necessary. I have considered the necessity of fixing a minimum sale price as unexcised spirits will be sold, but there will be no competition between different shops, and the prime cost of the liquor is reported by the renter to be eight annas a bottle or Rs. 3 a gallon. A minimum is therefore hardly likely to be required, but to be safe, it might be fixed at Rs. 3 a gallon.

9. The Superintendent of Works states that an application to sell ganja in Periyár has been received by him and promises further report about it. If necessary, a license can be sold by auction as in the plains, but at present no action is necessary and no hemp drugs are now sold in the camp.

10. The Opium Act has not been extended to Periyár.

Resolution—dated 22nd February 1895, No. 93.

With reference to G.O., dated 17th December 1894, No. 4960, the Board begs leave to submit its proposals for the working of the Abkári Act in the Periyár camps for the period up to the 31st December 1896, during which His Highness the Maharajah of Travancore has agreed to cede to the British Government the abkári jurisdiction over the sites.

2. The first point for determination is whether, by virtue of the cession of jurisdiction over, and the extension of the Madras Abkári Act to the Periyár camps,

the tract becomes part of the Madras Presidency for abkári purposes. The Collector of Madura is of opinion that, as there is no cession of territory, the "import" and "transport" sections of the Abkári Act will not apply; so that consignments of liquor from the Madura district to the Periyár camps would have to be issued under the provisions of the Act relating to "export." Looking, however, to the terms of the draft notification to be issued by the Foreign Department of the Government of India, the Board is not prepared to accept this view of the matter, and considers that when the Act as a whole is extended to the Periyár camps, every portion of it must apply.

3. The administration of the abkári revenue in the tract in question should be under the direct management of the Collector of Madura, the Salt and Abkári Inspector of the Dindigul Circle being entrusted with the duty of preventing and detecting breaches of the Abkári Act in the tract. The tract may be placed under the supervision of the Periyakulam Range Sub-Inspector, and the local Sub-Magistrate may be invested with the powers of a Collector usually exercised by Deputy Tahsildars in abkári matters to enable him to recover arrears of abkári revenue and inspect the shops.

4. As regards the arrack revenue, the Board would recommend the system of administration now in force in the Madura district, viz., the private distillery supply system, with an Excise duty of Rs. 3–1–0 per gallon of 30 under-proof and proportionately for the other authorized strengths. There is at present in the Periyár camps a liquor shop worked under a temporary license (the fee for which is Rs. 100 a month) granted by the Superintendent of Works on the authority delegated to him in paragraph 1 of letter, dated 22nd September 1894, Ref. on C. No. 2978, from the Travancore Resident which will cease to have effect from the date on which the cession of abkári jurisdiction comes into operation. It is reported that the shopkeeper takes from 20 to 25 days to get his supply of arrack from the Travancore Territory. The exact strength at which the liquor is sold is not known. The Board considers that the supply should be obtained solely from British Territory. The privilege of the monopoly vend of country spirits under the private distillery supply system in the localities in question may be disposed of by auction to the highest approved bidder. The Superintendent of Works is of opinion that one shop is sufficient to meet requirements and the Board accepts his opinion. The successful bidder will be permitted to obtain his supply of country spirits from any of the distillers, warehouse-keepers or wholesale depôt-keepers in the private distillery supply tracts of the Presidency, or from the renter of the adjoining vend area of the Periyakulam taluk. The import of Travancore arrack will not be permitted.

5. The Collector is of opinion that, if the renter is restricted to the British Territory for his supply of liquor, it will be necessary to adopt measures for preventing the smuggling of liquor from Travancore. The Board does not consider that any special force will be required for the purpose. The distance from which Travancore liquor would have to be brought is apparently so great that no one is likely to smuggle except perhaps the renter himself, and, as the Travancore arrack is easily distinguishable from the jaggery arrack that would form the licit supply from British Territory, illicit practices on the part of the renter can be readily detected by the Deputy Tahsildar.

6. Though the present shopkeeper is allowed the privilege of vending toddy also, it is reported that he does not sell any as he has to obtain his supply from Panur in Travancore Territory (a long way from the camps), and the toddy becomes unfit for consumption by the time it reaches Periyár. Apparently there is no demand for this kind of liquor, and nothing need therefore be done at present to regulate its sale in the camps.

7. The Collector reports that an application for the privilege of selling ganja in Periyár has been received by the Superintendent of Works. Hemp drugs are not at present sold in the camps and the Collector is of opinion that no action is necessary in this connection.

8. The Collector has not submitted any proposals for the sale of foreign liquor in the camps. The Board would, however, recommend that the opening of a tavern and the issue of a retail license may be sanctioned, the sanction to be acted on if necessity should arise.

9. The Opium Act has not been extended to the Periyár camps. No proposals are therefore called for with reference thereto.

10. A draft notification investing the Sub-Magistrate of the Periyár camps with certain powers of a Collector in regard to abkári matters is herewith submitted for approval and publication.

(A true Copy and Extract.)

(Signed) D. D. MURDOCH,
Secretary.

To the Secretary to Government, Revenue Department,
with draft notification.

Copy to the Collector of Madura.
„ „ Deputy Commissioner, Southern Division.
„ „ Assistant Commissioner, Tinnevelly Sub-Division.

ORDER—dated 14th March 1895, No. 156, Revenue.

Separate Revenue No. 23.

The Board's proposals are approved. The notification will be published in the *Fort St. George Gazette.*

(True Extract.)

Secretary to Government.

To the Board of Revenue (Separate Revenue).
„ the Superintendent, Government Press.
Copy to the Political Department.
„ to the Public Works Department.

NOTIFICATION.

Under section 4 of the Madras Abkári Act, 1886, and in exercise of all other powers enabling him in this behalf, the Right Honorable the Governor in Council is pleased to make the following appointment :—

Sub-section of section 4.	Appointment.	Local jurisdiction.
(b)	The Sub-Magistrate of the Periyár camps to exercise all the powers and to perform all the duties of a Collector concurrently with the Collector and subject to the control of the Collector— (i) in respect to the issue of special permits under section 11 of the Act;	For the transport of toddy throughout the Presidency. For the transport of other liquor within the district of Madura.
	(ii) in respect to the issue of licenses under section 13 of the Act; (iii) in respect to the recovery of arrears of abkári revenue under section 28 of the Act; and (iv) under Chapter VIII of the Act	Within the lands indicated in the Foreign Department Notification (here enter No. and date of notification introducing the Abkári Act into the Periyár camps).

2. The quantities of liquor which may be transported or possessed under special permits or licenses issued by the abovementioned officer under sections 11 and 13 of the Act, respectively, shall not exceed the following :—

Description of liquor.	Quantity which may be transported under permit.	Quantity which may be possessed under license.
	I. GLS.	I. GLS.
Spirits	10	10
Toddy	50	50
Other kinds	20	20

CHIEF SECRETARY
27 MAR. 1895
GOVERNMENT OF MADRAS

Exd. C. M. Brisson.

50 Copies.

107 : 8.2.95 S.C
886/7 : 6.12.94 S.C
918 : 26.12.94 docket
745/6 : 26.10.94 S.C
683 : 1.10.94 S.C.
659 : 20.9.94 S.C

417
Pub

Govt. of {1895} Madras.

REVENUE.

107/8.2.95   886-7/6.12.94   918/26.12.94

CS

order 5 April 1895. No. 218.

Recorded

C.S.
1.4.95

Issued

Recd. 27/3/95   Encl.

Regd 28/3/95

DESPATCHED
8 APL 95
IN M.S

Resident in Trc (SC)

Copd 8/4.

G.O., 14th March 1895, No. 156.

S

Add spare copy to "Periyar" File

CS

Done

MARCH.

S
24/3

Abkari Revenue.

Approving Board's proposals for the management of the — in the Periyár camps, and ordering to be published in the *Fort St. George Gazette* the draft notification investing the local Sub-Magistrate with certain powers of a Collector in regard to abkári matters.

WITH ORDER

W.O.

When given for copying ______
When copied ______
When examined ______ } 189 .
When signed ______

READ AGAIN G.O., No. DATED
189 .

CURRENT No.

ENCLOSURES TO C. No

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

8/8/04

23-11-11

16/11/29